

CITY OF GARDNER  
CONSERVATION COMMISSION  
GARDNER CITY HALL- MANCA ANNEX  
115 PLEASANT ST., ROOM 202  
GARDNER MA 01440

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**MEETING**

MONDAY, MAY 8, 2023, AT 6:30 P.M.

IN-PERSON AT CITY HALL ANNEX  
SECOND FLOOR MEETING ROOM 203

**MEMBERS PRESENT:**

Chairman, Greg Dumas  
Agent, Sophie Dorow  
David Beauregard, Member  
Norman Beauregard, Member  
David Orwig, Member

**ABSENT MEMBERS:**

Michael Hermanson, Member  
Duncan Burns, Member

**GUESTS:**

Steven Rockwood  
Mark Popham  
Martin Greay

**MINUTES:**

The minutes of the meeting of April 24<sup>th</sup> , 2023, were approved by a unanimous vote.

**NOTICE OF INTENT:**

The Gardner Conservation Commission will hold a joint Public Hearing under MGL, Ch. 131, § 40, Wetlands. Protection Act and the City of Gardner Wetlands Protection Ordinance on a Notice of Intent filed by Dianna and Andy Krook, APK Real Estate, LLC, represented by Mark Popham. Work on Parcel ID#(M47-22-17) Lot 8A Green Street (Rte. 140) Project entails the construction of a single-family dwelling, driveway, artesian well, septic system, fill and grading, located within the buffer of bordering Vegetated Wetland. This is a continuance from April 24<sup>th</sup> , 2023. APK had filed a notice of intent in 2020. On the previous notice of intent application, a site visit was conducted. The findings were that the house was proposed to be within the 60 ft wetland buffer zone area. The Conservation requested the applicant to consider relocating the development of the house out of the no build zone. This lot is long in

length but very narrow. Mark Popham presented the current plan to optimize the distance between the dwelling and the intermittent brook. The original notice of intent had a flagged wetland delineation area from B1-B5. This was reflagged again for this notice of intent this year. The small septic system that was approved by the Board of Health in 2020 and remains in the same area on the revised plan. The 14ft wide driveway was too close to the buffer zone and has been relocated further out of the buffer zone.

Mr. Dumas stated that half of the driveway is in the 60ft no-built zone. We reviewed this plan, and the proposed home, septic, and driveway are either within the no build zone or abutting it. We had a site visit before and it is a tight spot between the 60ft no-build zone due to the nature of the parcel shape and size in correlation with the bordering vegetated wetland and intermittent brook.

Ms. Dorow asked about the tax problems.

Mr. Popham states his concerns about taxes on a lot that may not be buildable.

Mr. Dumas' motion to deny the applicant an Order of Conditions.

Members: Aye. Order of Conditions Denied by unanimous vote.

**ENFORCEMENT ORDER:**

None

**EMERGENCY CERTIFICATE:**

None

**REQUEST FOR AMENDED ORDER OF CONDITIONS:**

None

**REQUEST FOR CERTIFICATE OF COMPLIANCE:**

None

**NEW BUSINESS:**

A candidate is interested in joining the Conservation Commission Board. All members agreed that the candidate must provide a resume to be considered.

**PROFESSIONAL DEVELOPMENT:**

None

**UPCOMING MEETING:**

May 22<sup>nd</sup>

Meeting Adjourn at 6:49P.M.